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Attorney Docket No. PC11032A

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By

*Mary C. Bickel*

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Matthew Merrill Hayward, :

et al.

APPLICATION NO.: 09/872,731

: Examiners: Liu, Hong and/or  
Rayman, Richard

FILING DATE: June 1, 2001

: Group Art Unit: 1624

TITLE: HYGROMYCIN A DERIVATIVES

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Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO FINAL OFFICE ACTION UNDER 37 C.F.R. §1.116(a)

Sir:

In full response to the Final Office Action issued on May 5, 2004, applicants submit the following remarks and a Declaration from Dr. Robert G. Linde under 37 C.F.R. §1.131.

A response to the May 5, 2004 Office Action is due on August 5, 2004. Therefore, the present Response is being timely submitted.

REMARKS

The original Declaration from Dr. Robert G. Linde under 37 C.F.R. §1.131 was submitted to the Patent Office on May 12, 2004. A copy of the Declaration with the comparative testing data is enclosed herewith.

For the reasons stated below, reconsideration and withdrawal of various rejections are respectfully requested.

CLAIM REJECTION UNDER 35 U.S.C. §103

Claims 1-8 remain rejected under 35 U.S.C. §103 for allegedly being obvious over